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EXAMINER	
RAMPURIA, SHARAD K	
ART UNIT	**PAPER NUMBER**
2683	

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/086,193	STEELBERG ET AL.	
	Examiner	Art Unit	
	Sharad Rampuria	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

I. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

II. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 6, 9-10, 15-16, 19, 22-23, & 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen [US 6628939] and Tendler [US 6778820] further in view of Paravia et al. [US 6508710].

1. Regarding claim 1, Paulsen disclose an electronic gaming system for enabling one or more player devices (20; fig.3) disposed at locations remote from a gaming source (70; fig.3), the devices receiving communications from the gaming source (Col.1; 65-Col.2; 7), the gaming system comprising:

at least one player device disposed at a first location, the player device including electronic game play means for enabling a player to make a wager by inputting wager data; (Col.8; 65-Col.9-11)

Paulsen fails to disclose the player device is placed in condition to receive said activation signal by the device's first location being within a bounded authorized area. However, Tendler teaches in an analogous art, that an RF sub-carrier broadcast station, the station communicating game play signals developed by the gaming source; (20; fig.1; Col.3; 31-38)

wherein the player device is placed in condition to receive said activation signal by the device's first location being within a bounded authorized area. (Col.3; 66-Col.4; 5) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the player device is placed in condition to receive said activation signal by the device's first location being within a bounded authorized area in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

Also, the above combination doesn't teach expressly, commence game play by causing an activation signal to be received and processed. However, Paravia teaches in an analogous art, that to commence game play by causing an activation signal to be received and processed; (Col.20; 9-22) wherein the player device is placed in condition to receive said activation signal by the device's first location being within a bounded authorized area. (Col.19; 63-Col.20; 2) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include commence game play by causing an activation signal to be received and processed in order to provide a method of interactive gaming system to the authorized players based on their location verification.

2. Regarding claim 2, Paulsen disclose an electronic gaming system according to claim 1, wherein the player device further comprises:
an RF receiver configured to receive RF sub-carrier signals from the broadcast station; (42; fig.1; Col.3; 41-51)
a microprocessor coupled to operate in cooperation with the RF receiver; (52; fig.2; Col.4; 28-44) and
game software, hosted on the microprocessor, the game software developing electronic data for driving a display means for generating graphical images depicting game play. (52; fig.2; Col.4; 28-44)

3. Regarding claim 3, Paulsen disclose an electronic gaming system according to claim 2, the player device further comprising: a persistent memory store, the memory store containing data elements defining bounded authorized areas within which the player device is activated upon receipt of the activation signal. (fence; Col.9; 28-47)

Paulsen doesn't disclose inherently an integrated circuit GPS receiver. However, Tendler teaches in an analogous art, that an integrated circuit GPS receiver (14; fig.1; Col.4; 19-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include an integrated circuit GPS receiver in order to provide accurate location of the device.

6. Regarding claim 6, Paulsen discloses all the particulars of the claim except the bounded authorized areas define geographical locations where gaming is permitted. However, Tendler teaches in an analogous art, that an electronic gaming system according to claim 5, wherein the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the bounded authorized areas define geographical locations where gaming is permitted in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

9. Regarding claim 9, Paulsen discloses all the particulars of the claim except the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations. However, Tendler teaches in an analogous art, that An electronic gaming system according to claim 8, wherein the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations. (Col.4; 6-34) Therefore, it would have been obvious

to one of ordinary skill in the art at the time of invention to include the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

10. Regarding claim 10, Paulsen discloses all the particulars of the claim except a player device GPS location is compared to the permitted geographical locations contained in the memory store. However, Tendler teaches in an analogous art, that An electronic gaming system according to claim 9, wherein a player device GPS location is compared to the permitted geographical locations contained in the memory store, the player device put in an active condition for game play in the event of the GPS location and a permitted location forming an included set. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a player device GPS location is compared to the permitted geographical locations contained in the memory store in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

15. Regarding claim 15, Paulsen disclose a method for electronic gaming at locations remote from a gaming source (Col.1; 65-Col.2; 7), the method comprising:

establishing a broadcast station, the station broadcasting game play data in accordance with instructions received from a gaming source; (Col.5; 45-65) providing a remote player device, the player device receiving game play data from the broadcast station, the player device executing game play software under microprocessor operational control; (Col.4; 29-44)

Paulsen fails to disclose the device is placed in condition to receive game play data if an established physical location corresponds to an authorized gaming area. However, Tendler teaches in an analogous art, that providing a location determination system, the location determination system establishing a physical location of the player device (Col.3; 66-Col.4; 5); and wherein the device is placed in condition to receive game play data if an established physical location corresponds to an authorized gaming area. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the device is placed in condition to receive game play data if an established physical location corresponds to an authorized gaming area in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

Also, the above combination doesn't teach expressly, wherein the device is placed in condition to receive game play data if an established physical location corresponds to an authorized gaming area. However, Paravia teaches in an analogous art, that wherein the device is placed in condition to receive game play data if an established physical location corresponds to an authorized gaming area. (Col.19; 63-Col.20; 2) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include wherein the device is placed in condition to receive game play data if an established physical location corresponds to an authorized gaming area in order to provide a method of interactive gaming system to the authorized players based on their location verification.

16. Regarding claim 16, Paulsen discloses all the particulars of the claim except an integrated circuit GPS receiver. However, Tendler teaches in an analogous art, that The method according to claim 15, further comprising: incorporating an integrated circuit GPS receiver in the player device (14; fig.1); and

providing a persistent memory store, the memory store containing data elements defining bounded authorized areas within which the player device is placed in condition to receive game play data. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to include an integrated circuit GPS receiver in order to provide accurate location of the device.

19. Regarding claim 19, Paulsen disclose the method according to claim 18, wherein the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations. (fence; Col.9; 28-47)

22. Regarding claim 22, Paulsen discloses all the particulars of the claim except the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations. However, Tendler teaches in an analogous art, that the method according to claim 21, wherein the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the bounded authorized areas define geographical locations where gaming is permitted, the memory store data elements corresponding to said permitted geographical locations in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

23. Regarding claim 23, Paulsen discloses all the particulars of the claim except a player device GPS location is compared to the permitted geographical locations contained in the memory store. However, Tendler teaches in an analogous art, that The method according to claim 22, wherein a player device GPS location is compared to the permitted geographical locations contained in the memory store, the player device put in an active condition for game play in the event of the GPS location and a permitted location forming an included set. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a player device GPS location is compared to the permitted geographical locations contained in the memory store in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

25. Regarding claim 25, Paulsen discloses The method according to claim 16, further comprising:

registering the player device with a network node authority, a user inputting at least a unique device serial number and a personal identification code; (Col.7; 4-15)

establishing a credit balance, the credit balance contained within the device's persistent memory store. (Col.8; 23-40) and

Paulsen doesn't disclose inherently activating the device for use by receiving a signal over an RF sub-carrier channel. However, Tendler teaches in an analogous art, that activating the device for use by receiving a signal over an RF sub-carrier channel; (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include activating the device for use by receiving a signal over an RF sub-carrier channel in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

26. Regarding claim 26, Paulsen discloses all the particulars of the claim except placing the device in condition to operate when the determined location corresponds to an authorized gaming location. However, Tendler teaches in an analogous art, that The method according to claim 25, further comprising: determining a physical location of a player device; comparing the determined location to at least one of a multiplicity of authorized gaming locations; and placing the device in condition to operate when the determined location corresponds to an authorized gaming location. (Col.4; 6-34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include placing the device in condition to operate when the determined location corresponds to an authorized gaming

location in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen & Tendler further in view of Walker et al. [US 6527638] (hereinafter Walker).

27. Regarding claim 27, the above combination discloses all the particulars of the claim except receiving game play data by the plurality of player devices; and processing the game play data in each device of the plurality by mathematical combination of the game play data with each device's unique serial number so as to generate uniquely random game play data for each device of the plurality. However, Walker teaches in an analogous art, that The method according to claim 26, further comprising: broadcasting game play data to a plurality of player devices in simultaneous fashion; receiving game play data by the plurality of player devices; and processing the game play data in each device of the plurality by mathematical combination of the game play data with each device's unique serial number so as to generate uniquely random game play data for each device of the plurality. (Col.5; 43-50 & Col.19; 2-28) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include

receiving game play data by the plurality of player devices; and processing the game play data in each device of the plurality by mathematical combination of the game play data with each device's unique serial number so as to generate uniquely random game play data for each device of the plurality in order to provide a remote gaming system by which a player can wager on any one of a plurality of games.

28. Regarding claim 28, the above combination discloses all the particulars of the claim except recording a wager result for each device of the plurality, for each set of game play data; and calculating an increment or decrement to the credit balance stored on each device of the plurality. However, Walker teaches in an analogous art, that The method according to claim 27, further comprising: recording a wager result for each device of the plurality, for each set of game play data; and calculating an increment or decrement to the credit balance stored on each device of the plurality. (Col.5; 43-50 & Col.19; 2-28) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include recording a wager result for each device of the plurality, for each set of game play data; and calculating an increment or decrement to the credit balance stored on each device of the plurality in order to provide a remote gaming system by which a player can wager on any one of a plurality of games.

29. Regarding claim 29, the above combination discloses all the particulars of the claim except settling a final credit balance stored on a device. However, Walker teaches in an analogous art, that the method according to claim 28, further comprising: verifying an authorization to use a device; and settling a final credit balance stored on a device. (Col.5; 43-50 & Col.19; 2-28) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include settling a final credit balance stored on a device in order to provide a remote gaming system by which a player can wager on any one of a plurality of games.

30. Regarding claim 30, the above combination discloses all the particulars of the claim except the settling step includes crediting a user account when a final credit balance is positive. However, Walker teaches in an analogous art, that the method according to claim 29, wherein the settling step includes crediting a user account when a final credit balance is positive and, wherein the settling step includes debiting a user account when a final credit balance is negative. (Col.5; 43-50 & Col.19; 2-28) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the settling step includes crediting a user account when a final credit balance

is positive in order to provide a remote gaming system by which a player can wager on any one of a plurality of games.

Claims 4-5, 7-8, 17-18 & 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen & Tendler, Paravia further in view of Clapper [US 20020168967] (hereinafter Clapper).

4. Regarding claim 4, the above combination discloses all the particulars of the claim except a radio frequency triangulation telemetry tracking system. However, Clapper teaches in an analogous art, that an electronic gaming system according to claim 2, the player device further comprising: a radio frequency triangulation telemetry tracking system; and a persistent memory store, the memory store containing data elements defining bounded authorized areas within which the player device is activated upon receipt of the activation signal. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a radio frequency triangulation telemetry tracking system in order to provide a distinctive technology to find the mobile device.

5. Regarding claim 5, the above combination discloses all the particulars of the claim except a radio frequency triangulation telemetry tracking system.

However, Clapper teaches in an analogous art, that an electronic gaming system according to claim 4, wherein radio frequency triangulation telemetry tracking data is received by RF sub-carrier signals issued from the broadcast station, the player device forming thereby an RFTTT derived location. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a radio frequency triangulation telemetry tracking system in order to provide a distinctive technology to find the mobile device.

7. Regarding claim 7, the above combination discloses all the particulars of the claim except the RFTTT. However, Clapper teaches in an analogous art, that an electronic gaming system according to claim 6, wherein a player device RFTTT location is compared to the permitted geographical locations contained in the memory store, the player device put in an active condition for game play in the event of the RFTTT location and a permitted location forming an included set. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the RFTTT in order to provide a distinctive technology to find the mobile device.

8. Regarding claim 8, the above combination discloses all the particulars of the claim except GPS differential correction signal data is received by RF

sub-carrier signals issued from the broadcast station. However, Clapper teaches in an analogous art, that an electronic gaming system according to claim 3, wherein GPS differential correction signal data is received by RF sub-carrier signals issued from the broadcast station. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include GPS differential correction signal data is received by RF sub-carrier signals issued from the broadcast station in order to provide a distinctive technology to find the mobile device.

17. Regarding claim 17, the above combination discloses all the particulars of the claim except a radio frequency triangulation telemetry tracking system. However, Clapper teaches in an analogous art, that the method according to claim 16, further comprising: incorporating a radio frequency triangulation telemetry tracking system in the player device; and providing a persistent memory store, the memory store containing data elements defining bounded authorized areas within which the player device is placed in condition to receive game play data. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a radio frequency triangulation telemetry tracking system in order to provide a distinctive technology to find the mobile device.

18. Regarding claim 18, the above combination discloses all the particulars of the claim except the RFTTT. However, Clapper teaches in an analogous art, that The method according to claim 17, wherein radio frequency triangulation telemetry tracking data is received by RF sub-carrier signals issued from the broadcast station, the player device forming thereby an RFTTT derived location. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the RFTTT in order to provide a distinctive technology to find the mobile device.

20. Regarding claim 20, the above combination discloses all the particulars of the claim except the RFTTT. However, Clapper teaches in an analogous art, that The method according to claim 19, wherein a player device RFTTT location is compared to the permitted geographical locations contained in the memory store, the player device put in an active condition for game play in the event of the RFTTT location and a permitted location forming an included set. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the RFTTT in order to provide a distinctive technology to find the mobile device.

21. Regarding claim 21, the above combination discloses all the particulars of the claim except GPS differential correction signal data is received by RF

sub-carrier signals issued from the broadcast station. However, Clapper teaches in an analogous art, that the method according to claim 16, wherein GPS differential correction signal data is received over RF sub-carrier signals issued from the broadcast station. (pg.2; 0022) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include GPS differential correction signal data is received by RF sub-carrier signals issued from the broadcast station in order to provide a distinctive technology to find the mobile device.

Claims 11, 13 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen & Tendler, Paravia further in view of Kotzin et al. [US 6470180] (hereinafter Kotzin).

11. Regarding claim 11, the above combination discloses all the particulars of the claim except the RF sub-carrier signals are broadcast on a band selected from the group consisting of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite band, and a cellular band. However, Kotzin teaches in an analogous art, that An electronic gaming system according to claim 10, wherein the RF sub-carrier signals are broadcast on a band selected from the group consisting of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite

band, and a cellular band. (Col.3; 61-Col.4; 7) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the RF sub-carrier signals are broadcast on a band selected from the group consisting of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite band, and a cellular band in order to exploits a broadcast system to enhance a wireless gaming experience.

13. Regarding claim 13, Paulsen disclose an electronic gaming system according to claim 12, wherein the player device is configured as a stand-alone purpose-built electronic gaming device. (20; fig.1; Col.10; 38-51)

24. Regarding claim 24, the above combination discloses all the particulars of the claim except the RF sub-carrier signals are broadcast on a band selected from the group consisting of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite band, and a cellular band. However, Kotzin teaches in an analogous art, that The method according to claim 23, wherein the RF sub-carrier signals are broadcast on a band selected from the group consisting of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite band, and a cellular band. (Col.3; 61-Col.4; 7) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the RF sub-

carrier signals are broadcast on a band selected from the group consisting of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite band, and a cellular band in order to exploits a broadcast system to enhance a wireless gaming experience.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Paulsen, Tendler, Paravia & Kotzin further in view of Thiriet [US 6650892] (hereinafter Thiriet).

12. Regarding claim 12, the above combination discloses all the particulars of the claim except the player device is configured as a smart card. However, Thiriet teaches in an analogous art, that an electronic gaming system according to claim 11, wherein the player device is configured as a smart card. (Col.1; 55-64 & Col.2; 54-63) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the player device is configured as a smart card in order to provide the capabilities available in a SIM card for executing computer game programs.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin and Tendler further in view of Paravia.

14. Regarding claim 14, Kotzin disclose a remote gaming device having a receiver programmed to accept radio signals broadcast at a frequency selected by a network node, the frequency residing within at least one of an FM sub-carrier band, an AM sub-carrier band, a Television sub-carrier band, a satellite band, and a cellular band, (Col.3; 61-Col.4; 7)

Kotzin fails to disclose the gaming device is activated for game play only when its physical location is within the gaming authorized region. However, Tendler teaches in an analogous art, that the gaming device further including location determination means for establishing whether the device is physically within a gaming authorized region, wherein the gaming device is activated for game play only when its physical location is within the gaming authorized region. (Col.3; 66-Col.4; 34) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the gaming device is activated for game play only when its physical location is within the gaming authorized region in order to provide a method for assuring that a telephone wager is placed within the wagering jurisdiction.

Also, the above combination doesn't teach expressly, wherein the gaming device is activated for game play only when its physical location is within the gaming authorized region. However, Paravia teaches in an analogous art, that wherein the gaming device is activated for game play

only when its physical location is within the gaming authorized region. (Col.19; 63-Col.20; 2) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include wherein the gaming device is activated for game play only when its physical location is within the gaming authorized region in order to provide a method of interactive gaming system to the authorized players based on their location verification.

Conclusion

III. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on Mon-Fri. (8:10-4:40).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application June be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications June be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or *EBC@uspto.gov*.

Sharad Rampuria
Examiner
Art Unit 2683

June 3, 2005

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600